

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 5th day of January, 2010 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Jeff Dredge,	Council Chair
Krista Dunn,	Council Member - Conducted
Darren Stam,	Council Member
Jared Shaver,	Council Member
Jim Brass,	Council Member

Others who attended:

Doug Hill,	Mayor Pro-tem
Jan Wells,	Chief of Staff
Michael Wagstaff,	City Council Director
Carol Heales,	City Recorder
Frank Nakamura,	City Attorney
Doug Hill,	Public Works Director
Tim Tingey,	Community & Economic Development Director
Gil Rodriguez,	Fire Chief
Craig Burnett,	Assistant Police Chief
Mike Terry,	Human Resources Director
Patricia Griffiths,	Former Council Member
David Wilde,	Salt Lake County Representative

Ms. Dunn welcomed the two new Council members, Darren Stam and Jared Shaver. She also asked that Mayor Snarr be excused from the meeting.

A. OPENING CEREMONIES

1. Pledge of Allegiance - Patricia Griffiths, Former Council member
2. Approval of Minutes of December 15, 2009.

Mr. Brass made a motion to approve the minutes.
Mr. Dredge 2nd the motion.

Call vote recorded by Ms. Heales

All Ayes

3. Ms. Dunn said that there is a tradition in Murray City to have the scouts and their troop leaders stand and introduce themselves.

The scouts in attendance introduced themselves, their leaders, and which Merit Badges they are working on.

4. Special Recognitions

1. **A Joint Resolution of the Mayor and Municipal Council of Murray City expressing gratitude and appreciation to Robert (Robbie) D. Robertson for his contribution to the community as a City Council Member.**

Ms. Dunn read the Resolution in its entirety.

Mr. Brass made a motion to adopt the Resolution.
Mr. Shaver 2nd the motion.

Call vote recorded by Carol Heales:

<u> A </u>	Mr. Dredge
<u> A </u>	Mr. Stam
<u> A </u>	Mr. Brass
<u> A </u>	Mr. Shaver
<u> A </u>	Ms. Dunn

Motion passed 5-0

2. **A Joint Resolution of the Mayor and Municipal Council of Murray City expressing gratitude and appreciation to Patricia W. Griffiths for her contribution to the community as a City Council Member.**

Ms. Dunn read the Resolution in its entirety.

Mr. Shaver made a motion to adopt the Resolution.
Mr. Stam 2nd the motion.

Call vote recorded by Carol Heales:

<u>A</u>	Mr. Dredge
<u>A</u>	Mr. Stam
<u>A</u>	Mr. Brass
<u>A</u>	Mr. Shaver
<u>A</u>	Ms. Dunn

Motion passed 5-0

Mr. Dredge presented Ms. Griffiths with the Resolution, stating that he does this with great honor. He has looked up to Ms. Griffiths for many years as he has worked with her in the Planning and Zoning and the City Council. Murray has greatly benefitted from having her here, looking out for the City's best interest, now and for the future.

Ms. Griffiths stated that this has been one of the most challenging experiences she has had in her life, but truly one of the most rewarding. She has learned so much about government, other people, and most of all, about herself. She hopes that the things that she has learned will not only benefit herself, but the community as well. She values the friendships that have been formed during her term on the Council.

As she was being oriented, the thing that impressed her the most was the caliber of the City employees, and has always said that our human resources are the most valuable, and truly believes that; she is very grateful for the City employees who have served so diligently and so well. We are truly rich in the employees who work in this city, they are ultimately the ones who make everything that they do, happen; Ms. Griffiths extended her utmost gratitude and admiration to each one of them, and thank them for their impact in her life.

Ms. Griffiths encouraged all of the young people to be active in the community, in anyway that they can, and said that maybe someday, one of them may be sitting in the Council seats, leading the community. That is her challenge to them. She wanted to, once again, express her gratitude and her love to all the friends that she has made over the years, it has truly enriched her life.

Ms. Dunn stated that it is great to move forward and to have new people come on, but said that Ms. Griffiths will be truly missed and never forgotten; as the Resolution said, some of the things that she has accomplished will impact the City for many years to come, and thanked Ms. Griffiths for her service.

3. Special Recognition of the Murray Mity Mite Black (11 Year-Olds) Youth Football Team who won the Northern Continental League Championship.

Ms. Dunn said that Mayor Snarr had been very excited to recognize this group, but due to an emergency, was not able to be here for this. As a City, we recognize any group that has an outstanding showing in our community, and we want to recognize this group tonight; the city is very proud of them, they have done an outstanding job in representing the City, and she said that they would like to have all of these young men stand and be recognized.

Staff presentation: Doug Hill, Mayor Pro-tem

Mr. Hill invited forward, the three coaches for the team: Tyler Stetler, Russ Litson, and Damon Rockhill. As we all know, the coaches make a huge difference in these boys lives, both on and off the field, and we appreciate people like these three men, who volunteer their time for the youth athletic programs in our city. He also thanked all in the Ute Conference Football League; we have an absolutely fantastic program here in Murray, and these boys have been exemplary of that. He added that they won their championship game against Park City, beating them 32-6, and they are the first team in five years in the Murray Ute Conference who have won a championship.

Mr. Hill congratulated the team and invited Mr. Stetler to come forward and make comments.

Mr. Stetler thanked all of the parents for their support; it has been wonderful this year, and he couldn't have expected more. The parents made it very easy to coach a team like this and it is very much appreciated, as is the community support that they have received; it has been beyond measure. The Mayor, the staff and the recognition have been very special, and it is something that these kids will remember for the rest of their lives. He told the boys to enjoy this moment, as it is not every year that this happens. He said that they have worked very hard, and deserve the recognition. The coaches are extremely proud of them, as is the city and their parents; they have accomplished wonderful things this year.

Mr. Stetler added that these boys out-scored their opponents 373 - 14! If that says anything good about these guys, and how hard they have worked, the stats say it all. One thing that he did not expect to happen on any of his teams, or that any team would have expected is this: there is an x-man rule in youth conference, and some kids can't run the ball, and he is sorry for that but that is the way the rules are; however, they did have one x-man that scored four touchdowns on his own. Of the remaining 15 kids on his team that were eligible to run the ball, everyone of those kids scored a touchdown.

Mr. Stetler asked the boys what he attributes that to, what he always tells them on how to win games: the boys unanimously answered 'blocking'. Mr. Stetler said that when these boys have someone to run behind, they get to the end zone. This is a very good group of kids, and he looks forward to coaching them for the next couple of years, and hopes to give our high school team something to look forward to. This was a "B" team; generally, "A" teams have the best players on the field, and for a "B" team to accomplish what this team has done is very, very good; the quality of these players at this age group, is going to turn the Murray High School around. The "A" team did very well too, they made it to the championship, and lost by a point, and he feels that they should be sitting here with them, and would like to recognize them as well, they had a fantastic season.

B. CITIZEN COMMENTS (Comments are limited to 3 minutes unless otherwise approved by the Council.)

Diana Johnson, 6021 W. 3280 S., WVC, Ut

Ms. Johnson stated that she wanted to comment on the records practices that the City uses: she feels that the original copies should be kept as of October, 2008. Anything that will be changed, as far as record practices, HR practices, investigations or grievance procedures should be kept intact because of ongoing investigations.

Public Comment closed.

C. CONSENT AGENDA

Ms. Dunn asked that the following appointment and reappointments be taken all at once. No objections noted.

1. Consider the Mayor's reappointment of Jen Davies to the Arts Advisory Board, in an At-Large position, for a two-year term to expire January 15, 2012.
2. Consider the Mayor's reappointment of Mildred Horton to the Arts Advisory Board, representing District 1, for a three-year term to expire January 15, 2013.
3. Consider the Mayor's appointment of Wendi Miller to the Arts Advisory Board, representing District 4, for a three-year term to expire January 15, 2013.
4. Consider the Mayor's reappointment of Tim Taylor to the Planning and Zoning Commission, in an At-Large position, for a three-year term to expire January 15, 2013.
5. Consider the Mayor's reappointment of Karen Daniels to the Planning and Zoning Commission, representing District 2, for a three-year term to expire January 15, 2013.
6. Consider the Mayor's reappointment of Ray Black to the Planning and Zoning Commission, representing District 3, for a three-year term to expire January 15, 2013.
7. Consider the Mayor's reappointment of Lisa Nelson to the Parks and Recreation Advisory Board, representing District 3, for a three-year term to expire January 17, 2013.
8. Consider the Mayor's reappointment of Ted Eyre to the Parks and Recreation Advisory Board, representing District 5, for a three-year term to expire January 17, 2013.
9. Consider the Mayor's appointment of Robbie Robertson to the Personnel Advisory Board, in an At-Large position, to fulfill the remainder of Deb Peters term, and for a new three-year term to expire June 30, 2013.

Mr. Shaver made a motion to approve the appointment and reappointments.
Mr. Dredge 2nd the motion.

Call vote recorded by Carol Heales:

<u> A </u>	Mr. Dredge
<u> A </u>	Mr. Stam
<u> A </u>	Mr. Brass
<u> A </u>	Mr. Shaver
<u> A </u>	Ms. Dunn

Motion passed 5-0

D. PUBLIC HEARINGS

1. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

Consider a Resolution approving the Mayor's appointment of Laverne A. Snow to the South Valley Mosquito Abatement District Board.

Staff presentation: Doug Hill, Mayor Pro-tem

Mr. Hill stated that Ms. Snow has been very helpful to the City, and the Mayor is recommending approving the appointment.

Public hearing opened for public comment.

None

Public comment closed

Council consideration of the above matter to follow Public Hearing.

Mr. Stam made a motion to adopt the Resolution.

Mr. Brass 2nd the motion.

Call vote recorded by Carol Heales:

A Mr. Dredge

A Mr. Stam

A Mr. Brass

A Mr. Shaver

A Ms. Dunn

Motion passed 5-0

2. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

Consider an Ordinance relating to zoning; amends the General Plan from Residential Single-Family Medium Density use to Residential Business use, and

amends the Zoning Map from R-1-6 to R-N-B for the property located at approximately 33 West 4500 South, Murray, Utah. (P & F Restaurant Management).

Staff presentation: Tim Tingey, Community & Economic Development Director

Mr. Tingey stated that this item went to the Planning Commission, and they have forwarded a positive recommendation in November. The General Plan designates future land uses, and in this proposal, the designation for the future land use was not for R-N-B; there are some unique characteristics to this site, it fronts to the north and east, adjacent to commercial properties and fits more in line with those properties. It backs towards a residential area, and really, in our General Plan, it designates an R-N-B zone that buffers residential from commercial zoning. Based on all of these reasons, Planning Commission and Staff recommended approval.

Troy Foote, P & F Restaurant Management, 12564 Bear Park Place, Draper, UT

Mr. Foote stated that they are an Arby's franchisee, and they are looking for a place to use as an office. They saw this property for sale, and it was almost like the City had written this new residential business for this piece of property. It will be an office that will be occupied from 8 am until 6 pm daily, very quiet, very low traffic; they only have three people who work out of the office, and they feel it will be very little impact to the area, and it fits that whole buffer zone.

Public Hearing opened for public comment.

No comment given

Public Hearing closed.

Council consideration of the above matter to follow Public Hearing.

Mr. Brass made a motion to adopt the Resolution.
Mr. Shaver 2nd the motion.

Call vote recorded by Carol Heales:

A Mr. Dredge
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver
 A Ms. Dunn

Motion passed 5-0

E. UNFINISHED BUSINESS

None scheduled

F. NEW BUSINESS

1. Election of a Chair and Vice Chair of the Murray City Municipal Council for the year 2010.

Mr. Shaver nominated Jim Brass for Chair of the Council.

Mr. Brass stated that although he appreciates the nomination, he would like to be the RDA Chair, and does not feel that he can do both. He declined the nomination.

Mr. Stam nominated Jeff Dredge as the Chair for the Council.
Mr. Brass 2nd the nomination.

Call vote recorded by Carol Heales:

 A Mr. Dredge
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver
 A Ms. Dunn

Motion passed 5-0

Mr. Brass nominated Darren Stam for Vice- Chair of the City Council.
Mr. Shaver 2nd the nomination.

Call vote recorded by Carol Heales:

 A Mr. Dredge
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver
 A Ms. Dunn

Motion passed 5-0

2. Election of a Chair and Vice Chair of the Budget and Finance Committee for the year 2010.

Mr. Brass nominated Krista Dunn for Chair of the Budget and Finance Committee.
Mr. Dredge 2nd the nomination.

Call vote recorded by Carol Heales

 A Mr. Dredge
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver
 A Ms. Dunn

Motion passed 5-0

Mr. Stam nominated Jared Shaver as the Vice-Chair of the Budget and Finance Committee.
Mr. Dredge 2nd the nomination.

Call vote recorded by Carol Heales:

A Mr. Dredge
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver
 A Ms. Dunn

Motion passed 5-0

3. Election of an Ex-Officio member of the Murray City Library Board of Directors for the year 2010.

Mr. Dredge nominated Jared Shaver to the Board.
Mr. Stam 2nd the nomination

Call vote recorded by Carol Heales:

 A Mr. Dredge
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver
 A Ms. Dunn

Motion passed 5-0

4. Election of a representative to serve as a Member of the Association of Municipal Councils Board for a two year term to expire December 31, 2011.

Ms. Dunn stated that she had served on the Board for about six years, and that Mr. Brass has been serving the last two years. This is an opportunity for a representative from the Council to represent the Murray City Council on a committee with council members representing cities from all of the municipalities from all of the Salt Lake valley. It is a really good experience if you are able to do it, and to get to know council members from across the valley. Ms. Dunn said that she has enjoyed the six years that she did serve, and feels that others should have the opportunity to serve.

Ms. Dunn added that this board is a sub-committee of the COG group, and they make recommendations to the Mayor's group that represents COG.

Mr. Brass commented that he has just been elected as Vice-Chair of that group, and if he gets put back on, he will be Chair next year. They meet Fridays at noon, here at Murray City's conference room.

Mr. Dredge nominated Jim Brass.
Mr. Stam 2nd the nomination.

Call vote recorded by Carol Heales:

 A Mr. Dredge
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver
 A Ms. Dunn

Motion passed 5-0

5. **Consider a Resolution approving the Mayor's appointment of representatives to the Boards of Interlocal Entities.**

Staff presentation: Jan Wells, Chief of Staff

Ms. Wells stated that each year we have the opportunity to serve on some of our various quasi-governmental boards and the council members have been very gracious in helping to get through this, and actually serve and help us. The ones that we have this year were also appointed some alternates, and are as follows:

Jeff Dredge - Utopia	Jared Shaver - Alternate
Anne von Weller - Trans-Jordan Landfill	
Jim Brass - Central Valley Water Conservancy	Anne von Weller - Alternate
Krista Dunn - VECC	Darren Stam - Alternate
Blaine Haacke - UAMPS	Greg Bellon - Alternate

Mr. Brass made a motion to adopt the Resolution.
Mr. Stam 2nd the motion.

Call vote recorded by Carol Heales:

 A Mr. Dredge
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver
 A Ms. Dunn

Motion passed 5-0

Ms Dunn said that it is nice to have elected people representing the City on these boards, as we are the ones answerable to our citizens and often times, when it is not an elected person, there is not as much really good discussion about some of things that are done, and she appreciates everyone who has agreed to sit on these boards to represent Murray City; the Mayor has expressed the same sentiment on occasions as well.

6. **Consider an Ordinance amending Sections 5.04.260(B), 5.12.190(A), 5.28.040, 5.28.270, 17.08.020, and 17.72.070 of the Murray City Municipal Code eliminating references to private clubs.**

Staff presentation: Frank Nakamura, City Attorney

Mr. Nakamura stated that this is a change made by both the City Recorder and the Attorney's offices. The legislature made some changes to the provisions relating to alcohol, and eliminated the Private Club; we thought we had all those changes made in our previous amendments, but we did not remove all of the references to private clubs, and this is an effort to make the Ordinance consistent with State law by removing reference to the word 'private'.

Mr. Dredge made a motion to adopt the Ordinance.

Mr. Stam 2nd the motion.

Call vote recorded by Carol Heales:

<u>A</u>	Mr. Dredge
<u>A</u>	Mr. Stam
<u>A</u>	Mr. Brass
<u>A</u>	Mr. Shaver
<u>A</u>	Ms. Dunn

Motion passed 5-0

7. **Consider an Ordinance amending Sections 2.65.020, 2.65.040, 2.65.050, 2.65.060, 2.65.070, 2.65.080, 2.65.090, 2.65.100, 2.65.140, 2.65.200, 2.65.210, and 2.65.250; and repealing Section 2.65.230 of the Murray City Municipal Code relating to criteria and procedures governing the records practices of the City.**

Staff presentation: Frank Nakamura, City Attorney

Mr. Nakamura stated that the main reason for these changes is to make the Ordinance consistent with State law, in fact, you can see that most of these changes are made to reference the appropriate provisions in State law. State law renumbered these provisions, and we have renumbered the provisions and their references.

We did add some language, which is almost verbatim out of State law, and we did eliminate one provision in the Ordinance, which we found to be redundant, which related to storing and preserving City records. Initially, we were going to change the language because many of the records are stored at the State Archives, and not all records are stored with the City Recorder's office, but we found that was covered in other parts of the Code.

As far as changing retention schedules, we can't change retention schedules; there is no provision in here that attempts to change retention schedules. We are subject to the retention schedules as provided by the State Archives office. We can hold documents longer if we choose, but we cannot destroy documents that are subject to these retention schedule. Mr. Nakamura does not believe that there is anything in these changes that attempts to do that.

Mr. Stam: Based on what Ms. Johnson was saying earlier, this change will not effect any on-going investigations.

Mr. Nakamura said that each record is subject to a retention schedule; they identify the various types of records that a government would have, and then set a retention schedule for how long we are to hold those records. These records cover everything from deeds, real estate, police records, personnel records, minutes, etc., and the State Archives office sets these and we have to comply. There are times where items, such as deeds, are held onto longer than what the retention schedules require, but overall, we have to follow them. As far as destroying records, we cannot do that; we can't change the retention schedule.

Our records Ordinance is reflective of what the Utah Government Records Access and Management Act dictates. He would like to update it, as the Ordinance is referenced by those of us here in the City who are responding to records requests and he feels that the information has to be consistent with State law. The retention schedules are not established by the City Recorder's office, but by the State Archives offices.

Ms. Dunn asked Ms. Johnson if that answered any of her issues, saying that if it did not, she could speak directly with Mr. Nakamura and Ms. Heales.

Mr. Brass made a motion to adopt the Ordinance.
Mr. Stam 2nd the motion.

Call vote recorded by Carol Heales:

<u> A </u>	Mr. Dredge
<u> A </u>	Mr. Stam
<u> A </u>	Mr. Brass
<u> A </u>	Mr. Shaver
<u> A </u>	Ms. Dunn

Motion passed 5-

G. MAYOR’S REPORT

None given

H. QUESTIONS OF THE MAYOR

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ADJOURNMENT